

**Review of Eminence Criteria and Proposed Changes to the
Eminence Appeal Process**
October 22, 2001

Summary

At the September 2001 Commission meeting, the Commission requested that staff review the criteria used to evaluate eminence applications and present proposed changes that will reflect a more structured approach to this process. This agenda item presents criteria to guide staff when reviewing an eminence credential and it also outlines three proposed alternatives to the current denial and appeal process.

Fiscal Impact

There is no fiscal impact resulting from this agenda report.

Policy Issues to be Resolved

Should the Commission direct staff to utilize the proposed eminence application criteria as presented in this agenda item? Should the Commission provide staff direction on one of the proposed alternatives pertaining to the staff denial and appeal process?

Background

At the September 2001 Commission meeting, staff presented two eminence application requests for Commission consideration. Staff had reviewed both applications and had determined that one clearly appeared to meet the Commission's definition of eminence. The other, previously denied by staff, clearly did not meet the Commission's definition of eminence and was presented to the Commission based solely on the employing school district's request. Although the evidentiary documentation submitted with these applications differed vastly, staff was required to present both items, as each of them met the current criteria and regulations governing the review of eminence application requests.

This prompted the Commission to discuss the current process pertaining to the evaluation and denial of eminence credential applications. This discussion brought to light the need for a more thoroughly delineated set of criteria and the need to explore alternatives to the current denial and appeal process.

This agenda item presents proposed criteria to guide staff when reviewing an eminence credential. Based on the proposed criteria, staff will update the Eminence Credential leaflet that is utilized by employers when preparing an eminence application. This agenda item also proposes three alternatives to the current denial and appeal process.

Criteria

With the understanding that the eminence process includes a high degree of subjectivity, the following criteria will be used to assist staff in reviewing and preparing eminence applications for presentation and will help staff to

communicate to the districts, the documentation that is needed for the Commission's review.

For those applications where it is clearly apparent that the application provides sufficient evidence to support eminence, the application will be brought to the Commission for review. If staff determines that an application for an Eminence Credential does not fulfill the Commission's definition of eminence as outlined in the proposed criteria, staff will deny the application for an eminence credential and issue a letter to the requesting district identifying the basis for denial.

Evaluation of Eminence Credential Applications

Purpose and Guidelines

The purpose of the Eminence Credential, as codified into law under section 44225 of the Education Code, is to provide for the issuance of a teaching credential in the unusual circumstance where an individual who is so eminent in their field that they will compensate for their lack of a teacher preparation program by their exceptional knowledge and renown in the subject matter of their expertise.

Implied in the statute is the employing school district's responsibility to validate the individual's ability to teach during the first two years of the individual's assignment. During that time, the individual is only authorized to teach for the requesting school district and such employment must be in the field where the individual has established their expertise.

Title 5, Section 80043, defines eminence as 1) an individual who is recognized as such beyond the boundaries of his or her community; 2) has demonstrably advanced his or her field; and 3) has been acknowledged by his or her peers beyond the norm for others in the specific endeavor.

The judgment of whether an individual merits the awarding of an Eminence Credential will always include a degree of subjectivity, however, both the statute and regulation set a high bar, requiring the individual applicant to have reached a position of prominence within their field. The Commission is the final authority in granting an eminence credential and an eminence application that appears to meet the criteria does not guarantee that the Commission will award the eminence credential. These guidelines and criteria assist the staff in reviewing an

eminence application and assist the employing district and applicant in preparing an eminence application.

Criteria and Documentation

The following criteria will be used to consider whether or not an individual has achieved eminence in their field. *Sufficient documentation of evidence must be presented in each of the following areas:*

- 1.) *The individual is recognized as eminent beyond the boundaries of his or her community;*

This area is considered to mean renown outside of the individual's geographic community. More weight will be placed on international and interstate renown in their area of endeavor than exposure within the individual's state or residence. The fact that the individual has moved their residence from place to place, whether within the same state or from country to country, will be given no weight. Applications that are submitted where the notoriety is confined to the geographic location of the local community will be returned to the district. The individual's professional reputation and influence should also be considered in the review process and should extend beyond the boundaries of the local community.

- 2.) *Demonstrably advanced his or her field; and*

To verify that the applicant for eminence demonstrably advanced his or her field the applicant must provide documentation of advanced degrees, distinguished employment, and evidence of research activities substantially contributing to their field of endeavor, or authorship of highly regarded publications demonstrating the individual's high degree of expertise. A person with exceptional knowledge in a particular field is not necessarily eminent in that field. When the eminence is for work in the arts, distinguished employment is verified with evidence that the individual received top billing in films, productions, televised events, or exhibitions.

- 3.) *Acknowledged by his or her peers beyond the norm for others in the specific field of endeavor.*

The applicant should meet at least three of the following to establish recognition within their field:

- a. Letters from former employers, professional colleagues and other experts in the field, relating to the individual's recognized expertise or position of prominence in their field.
- b. Documents evidencing an extraordinary ability worthy of distinction, such as written advisory opinions from a peer group, national or international organization representing the field.
- c. Evidence of a major, nationally or internationally recognized award. These awards should be of the type recognizing uncommon achievement in and advancement of a particular field of endeavor.
- d. Evidence of any extremely significant contribution made to their field.

- e. Authorship of a new or unusually successful method of educating children or members of the public in the individual's field of endeavor.
 - f. Extraordinary commercial success in their field.
- 4). Documentation used in support of an application for eminence, as outlined in the above criteria, *must be from*:
- Professional Associations;
 - Former and Current Employers;
 - Professional Colleagues (beyond those he/she currently works with); or
 - Other
- 5) A letter from the applicant describing his or her accomplishments that support a claim of eminence.

Validity of Eminence Credential

The first Eminence Credential is valid for two years. The second issuance is valid for three years. The first five years of the Eminence Credential are restricted to the employing school district that requested the Eminence Credential. After five years, the holder qualifies for a professional clear credential that is valid throughout California.

If there are no objections from the Commission, staff will use the above criteria when reviewing eminence applications.

Proposed Alternatives for Eminence Appeals

When staff evaluates an eminence application and concludes that the individual did not meet the Commission's definition of eminent, the application is returned to the district with a denial letter. The denial letter outlines the materials that were submitted with the eminence application and identifies the specific areas that lacked sufficient evidentiary documentation. Although the individual and the requesting district are informed of the specific basis(s) for denial, current regulation and procedures provide the opportunity for the applicant district to appeal staff's determination solely upon request and not based on the merits of the denial.

The Commission has requested that staff explore alternatives to the current eminence denial and appeal process. An effective denial and appeal process coupled with the proposed eminence criteria will provide staff with a comprehensive tool that can be used not only for effectively evaluating eminence applications, but will also give the applicant districts clarification of the Commission's eminence credential requirements.

The following are three alternatives to the current eminence denial and appeal process for consideration by the Commission:

1. Denial of an Eminence Application by Consent

Staff will prepare a consent calendar action item for eminence application requests that, based on staff's evaluation, did not meet the Commission's

definition of eminence. The Commission could then take action to deny the application, or request that the application be presented in its entirety at the next available Commission meeting. If denied, the district may then request reconsideration of the denial if it submits new and relevant materials that were not available at the time of the Commission denial.

2. Appeal of a Denial of an Eminence by the Commission Chair or Designee

An applying school district may appeal a staff denial of an eminence credential application to a Commission Chair or his or her designee, to review the merits of the denial and determine if the application should be presented for review by the entire Commission.

3. Appeal of a Denial of an Eminence Credential Based on Merit

An applying school district may appeal a staff denial of an eminence credential if additional supporting evidence can be presented to staff for review. The new evidence must be relevant to the reasons for denial and not have been available at that time of the denial. If staff determines that the new information now supports the applicant's request for eminence, staff will present the application for Commission review. If the additional information does not support the definition of eminence the application will be returned to the requesting district with a final staff denial.

Based on Commission direction, staff will present an agenda item with proposed language to change the eminence appeal process in Title 5 regulations.